Los Angeles County Sheriff's Department

Supervisor's Report on Use of Force

Incident Information

URN: 0 1 4 - 0 1 5 4 7 - 0 9 7 3 - 0 5 8	Date: 3/28/14	Time: 0415	
Location: Santa Monica Bl/Sycamore Ave.	City or Station: West Hollywood		
Bureau/Station/Facility: North Division/West Hollywood Patrol Station	Admin. Investigation: YES ☐ NO ☒		
Type of Force: Category 3, Personal Weapons			
Deputy Injury : YES ☒ NO ☐	Suspect Injury YES ☒ NO ☐		
☒ Call	☐ Observation	☐ Detail	☐ Foot Pursuit ☐ Vehicle Pursuit
IAB Notified: YES ☒ NO ☐	Person Notified: Lt. Berg, Michael	Emp: [redacted]	IAB Roll Out: YES ☒ NO ☐

Involved Employee

E 1

Employee # [redacted]	Last Name [redacted]	First Name [redacted]	Middle Name
Sex: ☒ Male ☐ Female	Race: H	Unit of Assignment: West Hollywood Station	Work Assignment (Unit #, Module, etc.): 92
Shift: ☒ EM ☐ Day ☐ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	Age: [redacted]	Height: 511 / Weight: 200
☒ Injured ☐ Treated ☐ Admitted	Hospital:	Coroner Case #	Directed Force ☐ Significant Force ☒

E 2

Employee # [redacted]	Last Name Jimenez	First Name Daniel	Middle Name
Sex: ☒ Male ☐ Female	Race: H	Unit of Assignment: West Hollywood Station	Work Assignment (Unit #, Module, etc.): 91A
Shift: ☒ EM ☐ Day ☐ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	Age: [redacted]	Height: 508 / Weight: 210
☒ Injured ☒ Treated ☐ Admitted	Hospital: Olympia Hospital	Coroner Case #	Directed Force ☐ Significant Force ☒

E_

Employee #	Last Name	First Name	Middle Name
Sex: ☐ Male ☐ Female	Race:	Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
Shift: ☐ EM ☐ Day ☐ PM	☐ Regular Shift ☐ OT Shift ☐ Off Duty	Age:	Height: / Weight:
☐ Injured ☐ Treated ☐ Admitted	Hospital:	Coroner Case #	Directed Force ☐ Significant Force ☐

☐ **Additional Involved Employees**

On Duty Supervisor

Emp. #	Last Name	First Name	Middle Name	Rank	Present	Witness to Incident
[redacted]	Braden	Charles		SGT	YES ☐ NO ☒	YES ☐ NO ☒
					YES ☐ NO ☐	YES ☐ NO ☐

Watch Sergeant

Emp. #	Last Name	First Name	Middle Name
[redacted]	Morien	Joseph	

Watch Commander

Emp. #	Last Name	First Name	Middle Name
[redacted]	Morien	Joseph	

Joseph Morien
Watch Commander (**Print Name**) — Watch Commander's **Signature**: — Emp #: [redacted] — Date

Mark Lopez, Sergeant
Supervisor Completing Form: (**Print Name**) — Emp #: — Copy Provided to Employee by: — Emp #:

Gary S. Honings, Captain
Unit Commander (**Print Name**) — Unit Commander's **Signature**: — Emp #: — Date

DISCOVERY Use Only
FO#

Hybrid Form SH-R-438P (Rev. 11/07)

Original: Discovery Unit
Copy: Unit Commander

Supervisor's Report on Use of Force
SUSPECT INFORMATION
0 1 4 - 0 1 5 4 7 - 0 9 7 3 - 0 5 8

Suspect Information

S 1

Last Name: Garcia-Lopez | First Name: Lucio | Middle Name: Eusebio

AKA Last Name: | First Name: | Middle Name:

Sex: ☒ Male ☐ Female | Race: H | Street Address: [redacted] | City: [redacted] | State & Zip Code: [redacted]

Work Phone: | Home Phone: none | Age: 24 | Height: 502 | D.O.B. 2/08/90 | Weight: 155 | Armed? ☐

Booking #: 3908199 | Primary Charge Code: 69 PC | Secondary Charge Code: 243.3 PC | Criminal History [redacted]

EMT in attendance? ☒ YES ☐ NO Name: Los Angeles City Fire | Unit: 827 | Phone #:

Hospital Admission? ☒ | Rec'd Treatment At: Cedars-Sinai Hospital | Coroner Case #: | Mental History ☐

By Doctor: Brian Jeffords | Address: 8700 Beverly Boulevard, Los Angeles | Phone #: (310) 423-3277

Under Influence: ☒ YES ☐ NO | Substance: Alcohol, B.A.C. was .25 | Mental Illness ☐

Suspect Interview

Date: 4/01/14 | Time: 1235 Hrs | Audiotape: ☒ | Videotape: ☐ | Photos of Injuries: ☒

Suspect Information

S__

Last Name: | First Name: | Middle Name:

AKA Last Name: | First Name: | Middle Name:

Sex: ☐ Male ☐ Female | Race: | Street Address: | City: | State & Zip Code:

Work Phone: | Home Phone: | Age: | Height: | D.O.B. | Weight: | Armed? ☐

Booking #: | Primary Charge Code: | Secondary Charge Code: | Criminal History ☐

EMT in attendance? ☐ YES ☐ NO Name: | Unit: | Phone #:

Hospital Admission? ☐ | Rec'd Treatment At: | Coroner Case #: | Mental History ☐

By Doctor: | Address: | Phone #:

Under Influence: ☐ YES ☐ NO | Substance: | Mental Illness: ☐

Suspect Interview

Date: | Time: | Audiotape: ☐ | Videotape: ☐ | Photos of Injuries: ☐

Suspect Information

S__

Last Name: | First Name: | Middle Name:

AKA Last Name: | First Name: | Middle Name:

Sex: ☐ Male ☐ Female | Race: | Street Address: | City: | State & Zip Code:

Work Phone: | Home Phone: | Age: | Height: | D.O.B. | Weight: | Armed? ☐

Booking #: | Primary Charge Code: | Secondary Charge Code: | Criminal History ☐

EMT in attendance? ☐ YES ☐ NO Name: | Unit: | Phone #:

Hospital Admission? ☐ | Rec'd Treatment At: | Coroner Case #: | Mental History ☐

By Doctor: | Address: | Phone #:

Under Influence: ☐ YES ☐ NO | Substance: | Mental Illness ☐

Suspect Interview

Date: | Time: | Audiotape: ☐ | Videotape: ☐ | Photos of Injuries: ☐

☐ **Additional Suspects Involved**

Supervisor's Report on Use of Force
EMPLOYEE / NON-EMPLOYEE INFORMATION
014-01547-0973-058

Employee Witnesses

Emp. #	Last Name	First Name	Middle Name
[redacted]	Lee	John	

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.	Street Address	City	Zip Code	Work Ph.	Home Ph.
[redacted]	[redacted]		28	[redacted]	[redacted]	[redacted]	[redacted]	None	[redacted]
[redacted]	[redacted]		52	[redacted]	[redacted]	[redacted]	[redacted]	None	[redacted]
[redacted]	[redacted]		54	[redacted]	[redacted]	[redacted]	[redacted]		[redacted]

☐ Additional Witness

Method

(AW) Arwen
(BC) Baton: (Control)
(BI) Baton: (Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds: (Control Techniques)
(TT) Control Holds: (Team Takedown)
(TD) Control Holds: (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device: Hobble (Legs Only)
(TP) Restraint Device: Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

FORCE USED BY		FORCE USED AGAINST		Method (Code)	Type of Injury (Code)	Body Part (Code)
Name	E# or S#	Name	E# or S#			
Garcia-Lopez	S#1	Jimenez	E#1	PO	CO	FA
[redacted]	E#1	Garcia-Lopez	S#1	PH	AB	FA
Garcia-Lopez	S#1	[redacted]	E#1	RS	NN	
[redacted]	E#1	Garcia-Lopez	S#1	CT	NN	AR
Jimenez	E#2	Garcia-Lopez	S#1	CT	FR	AR
Garcia-Lopez	S#1	Jimenez	E#2	PO	NN	

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT
INTERNAL AFFAIRS BUREAU

FORCE REVIEW SUMMARY
(FRACTURED ARM)

UNIT: West Hollywood Station
DATE: March 28, 2014, Friday
TIME: 0430 hours
LOCATION: Santa Monica Boulevard/Sycamore Avenue, Los Angeles, 90038
URN#: 014-01547-0973-058
IAB#: FO2353275

NATURE OF INCIDENT:
On March 28, 2014, Lieutenant Michael Berg, Sergeant Mark Lopez and Sergeant Richard Martinez of Internal Affairs Bureau responded to West Hollywood Sheriff's Station. This was in regards to a use of force by Deputies Daniel Jimenez #[redacted] and [redacted] #[redacted] The force used was on Suspect Lucio Garcia-Lopez, who sustained a fracture to his left upper arm.

On March 28, 2014, at approximately 0411 hours, West Hollywood deputies were dispatched and responded to a call for service: "a male Hispanic adult, homeless, wearing a black shirt, chasing two males northbound on La Brea Avenue; appears to be under the influence. Informant stated the disturbing party was in traffic tampering with vehicles, no weapons, Tag #36."

Informant [redacted] (rear passenger) stated she was in a transportation van with [redacted] driver) and [redacted] (front passenger). The van was stopped for a red light at eastbound Santa Monica Boulevard/La Brea Avenue. Suspect Garcia-Lopez approached their vehicle, banged on the passenger windows and tried to open the vehicle doors. Suspect Garcia-Lopez then grabbed the bottom of the vehicle and rocked the vehicle back and forth. All passengers in the van were extremely shaken up by Suspect Garcia-Lopez's actions. After two-to-three minutes, Suspect Garcia-Lopez chased some young adults who were walking on La Brea Avenue. [redacted] drove eastbound a block away and pulled over just east of Sycamore Avenue. She notified her work [redacted] of the incident and [redacted] called 9-1-1.

Deputies Jimenez (91A), [redacted] (92) and Lee (94A) searched the area and found a suspect matching the call's description one block east of the original location at Santa Monica Boulevard and Sycamore Avenue.

Deputies observed Suspect Garcia-Lopez hugging a street sign pole. Deputies Jimenez and [redacted] parked on the south curb line on Santa Monica Boulevard and approached Suspect Garcia-Lopez. Suspect Garcia-Lopez was crying and deputies could not understand what he was saying. Deputy Lee parked his patrol car at the intersection of Santa Monica Boulevard and Sycamore Avenue. Deputy Lee saw that Deputies Jimenez and [redacted] were going to contact Garcia-Lopez so he decided to contact the Witness/Informant who was standing on the southeast corner of Santa Monica Boulevard and Sycamore Avenue.

Upon initial contact, Suspect Garcia-Lopez was cooperative with Deputy [redacted]s commands to place his hands behind his back and walk over to the front driver's side of Deputy [redacted]s patrol car. Deputies [redacted] and Jimenez thought Suspect Garcia-Lopez was a drunk individual who had consumed a lot alcohol, though, as they made contact, they did not smell a strong alcoholic odor coming from Suspect Garcia-Lopez. Based on their observations, the deputies thought Suspect Garcia-Lopez was possibly under the influence of some kind of controlled substance.

Deputy Jimenez stood to the left of Suspect Garcia-Lopez as Deputy [redacted] conducted a pat down search for weapons. During the search, Suspect Garcia-Lopez pulled away from Deputy [redacted]s hold and head-butted Deputy Jimenez in the face.

Deputy [redacted] grabbed hold of Suspect Garcia-Lopez, threw him onto the hood of the patrol car and punched Suspect Garcia-Lopez two times in the face. Suspect Garcia-Lopez moved his body and head back-and-forth attempting to head-butt Deputy [redacted] who was right behind him. Deputy Jimenez was dazed by the head strike of Suspect Garcia-Lopez. It took Deputy Jimenez 20-30 seconds before he re-engaged to assist Deputy [redacted] in gaining control of Suspect Garcia-Lopez.

Deputy Lee stated he heard a "thump sound" as he walked toward Informant/Witness [redacted] Deputy Lee looked back and saw that Deputy Jimenez had stepped back away from Deputy [redacted] and Suspect Garcia-Lopez. Deputy Lee felt something was possibly wrong with Deputy Jimenez, so he turned and walked back toward the deputies. Deputy Lee then saw Deputy Jimenez assist Deputy [redacted] in trying to gain control of Suspect Garcia-Lopez's arms. Deputies [redacted] and Jimenez gave the suspect commands to stop fighting. Deputy Jimenez took control of Suspect Garcia-Lopez's left arm while Deputy [redacted] controlled Suspect Garcia-Lopez's right arm. Both of Suspect Garcia-Lopez's arms were placed behind his back and handcuffed. Deputy [redacted] kept hold of Suspect Garcia-Lopez and no other force was used.

As Deputies Lee and Jimenez were standing to the left of Suspect Garcia-Lopez, the suspect spit in their direction. Suspect Garcia-Lopez's saliva contained blood from an abrasion he had in his mouth area. Deputy Jimenez retrieved a spit mask from his patrol car and Deputy [redacted] placed it on Suspect Garcia-Lopez while Deputy Lee held onto Suspect Garcia-Lopez.

Suspect Garcia-Lopez was arrested for Penal Code 69, Battery on a Peace Officer. Sergeant Braden responded to the scene and was notified of the force used in this incident.

Suspect Garcia-Lopez bled from the nose and mouth, and complained of pain to his left arm. Deputy Jimenez called paramedics to treat Suspect Garcia-Lopez. The suspect was transported via ambulance to Cedars-Sinai Hospital for further medical treatment. For a copy of the Incident Report and Supplemental Reports refer to **Exhibit A**.

Emergency Room Physician Dr. Brian Jeffords treated Suspect Garcia-Lopez. X-rays revealed Suspect Garcia-Lopez sustained a spiral distal fracture of his left humerus. He also sustained a minor abrasion to the left cheek and a bloody nose. Dr. Jeffords explained Suspect Garcia-Lopez's injuries to Internal Affairs Sergeants, and stated the injuries were consistent with the force reported. A toxicology screen of the suspect's blood revealed his B.A.C. was .25. Suspect Garcia-Lopez was not interviewed on the day of the incident because he was heavily medicated and non-coherent. For a copy of Suspect Garcia-Lopez's medical records refer to **Exhibit B**.

Deputy Jimenez was treated and released at Olympia Hospital for slight pain and swelling to his left cheek, nose and upper lip, and for a possible mild concussion. Deputy [redacted] later claimed mild soreness to his right wrist but declined treatment. For a photocopy of Deputy Jimenez's injuries taken on March 28, 2014, refer to **Exhibit C**.

On April 1, 2014, Internal Affairs Investigators responded to Men's Central Jail to interview Suspect Garcia-Lopez. Suspect Garcia-Lopez stated he got off of work at 0200 hours in the morning. He then met up with some friends at an after-hours bar and had two drinks. Soon after, Suspect Garcia-Lopez left the bar and began to drink a bottle of wine a friend had given him. Suspect Garcia-Lopez walked to the bus station and did not remember anything after that. Suspect Garcia-Lopez did not remember attacking the van, or assaulting Deputy Jimenez. Suspect Garcia-Lopez did remember the deputies grabbing his left arm.

On April 2, 2014, Suspect Garcia-Lopez pled guilty to Felony Penal Code 32 – "Accessory After the Fact" and received 180 days in jail and 3 years formal probation. For a copy of Suspect Garcia-Lopez's Criminal History refer to **Exhibit D**.

INVOLVED PERSONNEL:

Jimenez, Daniel - Deputy, #[redacted]
West Hollywood Station
Unit #91A/EM
North Patrol Division

Date of Employment:	07-28-05
Date Assigned to West Hollywood:	06-5-11
Prior Shooting Incident(s):	[redacted]
Prior Founded Force Incidents:	

[redacted] - Deputy, #[redacted]
West Hollywood Station
Unit #92/EM
North Patrol Division

Date of Employment:	06-02-06
Date Assigned to West Hollywood:	01-20-13
Prior Shooting Incident(s):	[redacted]
Prior Founded Force Incidents:	

INVOLVED SUSPECT:

Garcia-Lopez, Lucio

Sex:	Male
Race:	Hispanic
Date of Birth:	February 8, 1990
Height:	502
Weight:	155
Booking #	3908199
Charge:	69 PC – Battery on a Peace Officer
Injury:	Fractured left arm

The Consolidated Criminal History System reveals that Suspect Garcia-Lopez had [redacted]

PHYSICAL EVIDENCE:

No physical evidence was collected at the scene. A check for security cameras in the area as well as with Los Angeles Police Department was done, but nothing was located.

INVESTIGATOR'S OBSERVATIONS:
Sergeant Lopez took digital photos of the scene where the use of force occurred during daylight hours. The photos are included with this case as **Exhibit E.**

FORCED USED BY DEPUTY PERSONNEL:
Deputy Daniel Jimenez – Control hold: wristlock.

Deputy [redacted] – Personal weapons and Control holds: Punches and wristlock.

WEAPONS USED BY SUSPECT:
Personal weapons: Head-Butt

EMPLOYEE INJURIES
Deputy Daniel Jimenez sustained a mild concussion, nasal contusion and swollen lip. He was treated at Olympia Hospital.

Deputy [redacted] sustained bruising to his right forearm and pain to his right hand. He refused medical treatment.

SUSPECT INJURIES
Suspect Garcia-Lopez sustained a fractured left humerus and face abrasions. He was treated at Cedars-Sinai Hospital by Emergency Room Doctor Dr. Jeffords. Dr. Jeffords said injuries were consistent with reported force. For Suspect Garcia-Lopez's medical records refer to **Exhibit B**.

CHARGES FILED AND DISPOSITION:
On 4/2/2014, the following charges were filed:

PC 69 – Obstruct/Resist (Dismissed Due to Plea Negotiation)
PC 242 – Battery (Dismissed Due to Plea Negotiation)
PC 243.3 – Battery with Injury (Dismissed Due to Plea Negotiation)
PC 148 (A)1 – Resisting (Dismissed Due to Plea Negotiation)
PC 32 – Accessory (**Convicted**, Formal Probation 3 years and 180 days LA County Jail).

EMPLOYEE WITNESS:
Deputy John Lee,
On January 27, 2015, Internal Affairs Sergeants Mark Lopez and Jose J. Garcia interviewed Deputy Lee at the Internal Affairs Bureau office. Deputy Lee was represented by Counsel Maureen Okwuosa from Green & Shinee. The interview was digitally recorded and transcribed.

For his verbatim interview, see his transcribed interview in the "Transcribed Interviews" section of this casebook. The following is a summary of his interview:

On March 28, 2014, at approximately 0411 hours, Deputy Lee was assigned a 927C call (Check the vicinity). Deputy Lee responded to Santa Monica Boulevard/La Brea Avenue. The call indicated a male subject was chasing a couple of people northbound on La Brea Avenue from Santa Monica Boulevard, and the call also stated the subject was hitting a vehicle's windows and rocking the vehicle back-and-forth.

Deputy Lee estimated it took him only two to three minutes to get to the call because traffic was light. Deputy Lee stated Deputies Jimenez and [redacted] were also assigned the call. When Deputy Lee got to the call location he did not see anyone. A short time late the call was updated and the informant advised she and the suspect were now in the vicinity of Santa Monica Boulevard/Sycamore Avenue.

Deputy Lee responded eastbound on Santa Monica Boulevard to Sycamore Avenue (one block east of La Brea Avenue). Deputy Lee saw a male hugging a street sign pole on the southwest corner of Santa Monica Boulevard/Sycamore Avenue. The Informant [redacted] was in the street on the southeast corner of Santa Monica Boulevard/Sycamore Avenue.

Deputy Lee parked his patrol vehicle at intersection of Santa Monica Boulevard/Sycamore Avenue. Deputy Lee noticed Deputies [redacted] and Jimenez were parking behind him so he figured they would contact the male subject (Suspect Garcia-Lopez) and he would contact the Informant.

As Deputy Lee was walking toward the Informant, he heard a "pop" sound behind him. He turned and saw Deputy Jimenez, who was approximately 15 – 20 feet away, take a couple of steps back as if he was hit with something. Deputy Lee decided to respond to Deputy Jimenez and see if he was okay. As Deputy Lee approached, he saw Deputy [redacted] holding Suspect Garcia-Lopez down onto the driver's side of the police car's hood. Deputy Lee then saw Deputy Jimenez re-engage and assist Deputy [redacted] in putting Suspect Garcia-Lopez's arms behind his back and handcuffing him. Deputy Lee did not see Deputy [redacted] punch Suspect Garcia-Lopez.

Deputy Lee did not assist in handcuffing because it did not appear his help was needed. Once Suspect Garcia-Lopez was handcuffed, Deputy Lee checked on Deputy Jimenez who had some redness to his face. He was told by Deputy Jimenez that he was head-butted by the Suspect Garcia-Lopez and was seeing stars.

As Deputy Lee and Deputy Jimenez were standing to the left of Suspect Garcia-Lopez, the suspect spit in their direction. Deputy Jimenez went to his patrol vehicle and retrieved a spit mask. Deputy [redacted] placed the spit mask on Suspect Garcia-Lopez without incident.

Deputy Lee stated Suspect Garcia-Lopez was talking gibberish and could not be understood. Deputy Lee observed Suspect Garcia-Lopez displayed the symptoms of person who was drunk or on a controlled substance. Deputy Lee observed that Suspect Garcia-Lopez was bleeding from the facial area but did not see any other injuries.

Deputy Lee subsequently interviewed Informant [redacted]. She told him she was stopped eastbound on Santa Monica Boulevard/La Brea Avenue. Subject Garcia-Lopez approached the vehicle she was in and banged on the windows with his hands. Informant [redacted] got scared because she thought Subject Garcia-Lopez was going to break the windows. Deputy Lee did not remember the exact windows Suspect Garcia-Lopez was banging on. Informant [redacted] also told Deputy Lee Suspect Garcia-Lopez grabbed the vehicle from the top and rocked the vehicle back and forth.

Deputy Lee did not interview any other witnesses because he followed the ambulance to the hospital that contained Suspect Garcia-Lopez.

CIVILIAN WITNESSES:

[redacted] was interviewed on February 3, 2015, at 1140 hours by Internal Affairs Bureau Sergeant Mark Lopez. The interview was audio recorded and was transcribed. For her verbatim interview, refer to "Transcribed Interviews" section of this case. The following is a summary of the interview.

Witness [redacted] was the rear passenger in an Access transportation van. The van contained two other passengers: the driver [redacted] and the front passenger [redacted] They were enroute to the hospital. Witness [redacted] is the caregiver for [redacted], who is disabled.

The van was stopped eastbound at Santa Monica Boulevard/La Brea Avenue. Suspect Garcia-Lopez approached their vehicle like "Spider Man," shooting imaginary webs at the vehicle. Then Suspect Garcia-Lopez began to bang on the passenger side window trying to force open the door. Suspect Garcia-Lopez was unable to open the door. Witness [redacted] then saw Suspect Garcia-Lopez squat down on the side of the van and attempted to flip it over. Subject Garcia was able to rock the van back and forth.

The incident at the red light lasted approximately two-to-three minutes. The light turned green and [redacted] drove eastbound, and stopped a block away on Santa Monica Boulevard, just east of Sycamore Avenue. [redacted] was so shaken up by the incident that she had called her dispatch and asked for a relief driver. Based on Subject Garcia-Lopez's actions, Witness [redacted] called 911 and reported the incident from the southeast corner of Santa Monica Boulevard/Sycamore Avenue.

Witness [redacted] saw two police cars arrive and park on the southwest corner of Santa Monica Boulevard/Sycamore Avenue where the suspect was located. Witness [redacted] stated approximately four officers approached Suspect Garcia-Lopez. She might have heard the officers tell the suspect to show them his hands. Witness [redacted] did not hear Suspect Garcia-Lopez speak; he was grunting like a monster.

As the officers approached Suspect Garcia-Lopez, he became aggressive and threw himself at the officers. Witness [redacted] did not see the officers use force because she went back to the van to check up on her patient. Witness [redacted] stated the officers appeared calm and did not appear aggressive with Suspect Garcia-Lopez.

Witness [redacted] noticed that the suspect was handcuffed and bleeding from the face. Witness [redacted] did not witness any additional force by the suspect or the officers after the suspect was handcuffed.

[redacted] was interviewed on February 3, 2015, at 1338 hours by Internal Affairs Bureau Sergeant Jose J. Garcia. The interview was done in Spanish and the audio was recorded and transcribed to English. For her verbatim interview, refer to the "Transcribed Interviews" section of this case. The following is a summary of the interview.

Witness [redacted] stated she had just picked up her passengers [redacted] and [redacted] at Wilshire Boulevard in Beverly Hills. She traveled eastbound on Santa Monica Boulevard and came to a stop for a red light at Santa Monica Boulevard/La Brea Avenue. Witness [redacted] saw Suspect Garcia-Lopez standing at the bus stop yelling in an exaggerated manner. Suspect Garcia-Lopez then approached the passenger side of the van and attempted to open the passenger door. Suspect Garcia-Lopez then grabbed the antenna and bent it. The suspect then bent down and tried to lift the van. Witness [redacted] stated all the passengers in the van were scared.

After approximately two minutes, the street light turned green and Witness [redacted] drove eastbound just passed Sycamore Avenue and stopped. Witness [redacted] called her dispatch and informed them of the incident. Witness [redacted] heard [redacted] reporting the incident to the Sheriff's dispatcher.

Witness [redacted] witnessed two deputies arrive on scene and contact Suspect Garcia-Lopez. Witness [redacted] was approximately 100 feet to the east of the deputies and the suspect. Witness [redacted] saw the deputies attempt to grab the Suspect Garcia-Lopez by the arms and place him the patrol vehicle, but the suspect was very strong and did not let them place him in the police car.

Witness [redacted] stated Suspect Garcia-Lopez appeared to be "drugged up" because he was yelling unknown gibberish and showed great strength when he lifted the van. Witness [redacted] did not see the deputies strike Suspect Garcia-Lopez or Suspect Garcia-Lopez strike them.

Witness [redacted] stated the incident with deputies lasted approximately one minute. She did not see all of the confrontation because she went back to her van and contacted her dispatch.

[redacted] was interviewed on February 3, 2015, at 1215 hours by Internal Affairs Bureau Sergeant Mark Lopez. The interview was audio recorded and was transcribed. For her verbatim interview, refer to "Transcribed Interviews" section of this case. The following is a summary of the interview.

Witness [redacted] stated she was the passenger in an Access transportation van. The van contained two other passengers: the driver [redacted] and rear passenger [redacted]. Witness [redacted] stated she is suffering from Multiple Sclerosis so she had a hard time remembering the details of the incident.

Witness [redacted] remembered a young guy (Suspect Garcia-Lopez), who looked like he was "drugged out," approached their van and banged on the windows. The guy tried to lift the van. Witness [redacted] did not remember if the light turned green or where they drove to. Witness [redacted] did not witness the force incident because she was in a wheelchair in the van.

INVOLVED EMPLOYEE STATEMENTS:

Deputy Daniel Jimenez, #[redacted] was interviewed on January 27, 2015, at 1050 hours by Internal Affairs Bureau Sergeants Mark Lopez and Jose J. Garcia. The interview was conducted at Internal Affairs Bureau. Deputy Jimenez was represented by Attorney Maureen Okwuosa from Green & Shinee. The interview was digitally recorded and transcribed. For his verbatim interview, see the "Transcribed Interview" section which is included with this case. The following is a summary of the interview.

On March 28, 2015, Deputy Jimenez was assigned to and worked unit #91 Adam/EM. At approximately 0411 hours, Deputy Jimenez recalled he received the assist on "a male chasing some kids on the street and tampering with vehicles" call. It took Deputy Jimenez two to three minutes to arrive on scene. Deputy Jimenez remembered Deputy [redacted] announcing over the radio that he had found the suspect.

Deputy Jimenez saw that Deputy [redacted] was ahead of him, eastbound on Santa Monica Boulevard. They both stopped and parked their patrol vehicles just west of Santa Monica Boulevard/Sycamore Avenue. Deputy Jimenez observed Suspect Garcia-Lopez crying and yelling "Ahhh" as he hugged a street sign pole that was located approximately 15 feet from the southwest corner of Santa Monica Boulevard/Sycamore Avenue.

Deputy Jimenez saw Deputy [redacted] make contact with Suspect Garcia-Lopez and walk him over to Deputy [redacted]s patrol vehicle. Deputy [redacted] had Suspect Garcia-Lopez stand on the driver's side of the hood. Deputy Jimenez did not observe Suspect Garcia-Lopez display any signs of aggressive behavior. Based on the suspect's unusual behavior, Deputy Jimenez formed the opinion that Suspect Garcia-Lopez was under the influence of a controlled substance because he did not smell alcohol on the suspect's person.

Deputy Jimenez took up a position two feet to the left of Suspect Garcia-Lopez, as Deputy [redacted] was going to conduct a cursory search for weapons. Suspect Garcia-Lopez broke free of Deputy [redacted]s grip and head-butted Deputy Jimenez on the left side of his face near his cheekbone area.

Deputy Jimenez immediately felt dazed by the head strike. Deputy Jimenez had no idea what was going on around him. Deputy Jimenez struggled to get back his vision. After several seconds, Deputy Jimenez observed Deputy [redacted] struggling with Suspect Garcia-Lopez. Deputy Jimenez saw Deputy [redacted] place Suspect Garcia-Lopez on the hood of the police vehicle. Deputy Jimenez thought to himself, "we have to get this guy handcuffed before he hurts someone else."

Deputy Jimenez grabbed ahold of Suspect Garcia-Lopez's left arm and ordered him to give him his hands. Deputy Jimenez stated Suspect Garcia-Lopez was very strong and did not comply with his orders. Deputy Jimenez kept thinking, "I got to get this guy handcuffed, he is going to hurt you." Deputy Jimenez stated he was dizzy the whole time he struggled with the suspect.

After approximately one minute of struggling, Deputy Jimenez was able to get Suspect Garcia-Lopez's left arm behind his back and handcuffed him. Deputy Jimenez stated Deputy Lee was there during the incident but did not assist.

Once Suspect Garcia-Lopez was handcuffed, he began to spit blood on the patrol vehicle and in the direction of Deputy Jimenez and Deputy Lee. Deputy Jimenez retrieved a spit mask from his patrol vehicle and Deputy [redacted] placed it on Suspect Garcia-Lopez.

Deputy Jimenez stated he did not consider O.C. spray because all he thought about was getting ahold of the suspect and getting him handcuffed. Deputy Jimenez did not put out radio traffic for assistance because he had both of his hands on the suspect. Once the suspect was handcuffed and secured, Deputy Jimenez called for paramedics to treat Suspect Garcia-Lopez's mouth area which was bleeding. Deputy Jimenez had an ASP baton and a flashlight with him but did not use them.

Deputy Jimenez did not know about Suspect Garcia-Lopez's left arm fracture because the suspect calmed down after the spit mask was applied. Deputy Jimenez stated he notified Sergeant Braden that he was assaulted by Suspect Garcia-Lopez and advised the sergeant of the force he used.

Deputy Jimenez was taken to Olympia Medical Center (5900 W. Olympic Bl., Los Angeles) by Sergeant Eddings. Deputy Jimenez had a CAT scan taken of his head and was told by the doctor that he had a severe to mild concussion.

Deputy [redacted], was interviewed on January 27, 2015, at 1005 hours by Internal Affairs Bureau Sergeants Mark Lopez and Jose J. Garcia. The interview was conducted at Internal Affairs Bureau. Deputy [redacted] was represented by Attorney Maureen Okwuosa from Green & Shinee. The interview was digitally recorded and transcribed. For his verbatim interview, see the "Transcribed Interview" section, which is included with this case. The following is a summary of the interview.

On March 28, 2015, Deputy [redacted] was assigned to and worked unit #92/EM. At approximately 0411 hours, Deputy [redacted] recalled getting an assist call that stated a homeless male was chasing two other males down the street, unknown circumstances. Deputy [redacted] recalled the call was updated to reflect the suspect was in traffic tampering with a vehicle, and appeared to be under the influence.

Deputy [redacted] recalled Deputies Jimenez and Lee were also given the call. When Deputy [redacted] arrived on Santa Monica Boulevard/La Brea Avenue, he did not see anyone. Deputy [redacted] decided to drive eastbound on Santa Monica Boulevard. When Deputy [redacted] approached Sycamore Avenue, he saw the informant in the street on the southeast corner waving her arms. As Deputy [redacted] got closer to the informant, he saw her pointing towards the southwest corner. Deputy [redacted] looked at the southwest corner and saw a male (Suspect Garcia-Lopez) hugging a street sign.

Deputy [redacted] put out the information over the radio that he had located the suspect. Deputy [redacted] made a U-turn and parked head-in toward Suspect Garcia-Lopez. Deputy [redacted] knew he had a second unit arriving within seconds from the radio traffic.

Deputy [redacted] exited his patrol vehicle and saw Deputy Jimenez arrive on scene. Deputy [redacted] stated he and Deputy Jimenez approached Suspect Garcia-Lopez, who was crying and holding onto a street sign pole, as to assist him from falling to the ground. Deputy [redacted] thought Suspect Garcia-Lopez displayed the symptoms of someone who was drunk but did not have the strong odor of alcohol. Deputy [redacted] then thought maybe Suspect Garcia-Lopez was under the influence of a controlled substance.

Deputy [redacted] spoke to Suspect Garcia-Lopez in English and in Spanish to try and find out how they could help him. Suspect Garcia-Lopez did not communicate; he mumbled and could not be understood by deputy personnel. Deputy [redacted] approached Suspect Garcia-Lopez, placed his hands behind his back and walked him over to his patrol vehicle on the driver's side of the hood. Suspect Garcia-Lopez was cooperative and walked with no resistance.

Deputy [redacted] stated Deputy Jimenez stood to the left of Suspect Garcia-Lopez. As Deputy [redacted] was conducting a cursory search, Suspect Garcia-Lopez lunged forward, broke away from Deputy [redacted]s grip and head-butted Deputy Jimenez in the face. Deputy [redacted] did not see the exact location on the face where Deputy Jimenez was hit.

Based on Suspect Garcia-Lopez's assaultive behavior, Deputy [redacted] immediately grabbed ahold of Suspect Garcia-Lopez and punched him in the face two to three times. Deputy [redacted] struggled to keep Suspect Garcia-Lopez on the hood. Deputy [redacted] stated Suspect Garcia-Lopez made several attempts to head-butt him with the back of his head. Deputy [redacted] gave the suspect commands in English and in Spanish to stop fighting. Suspect Garcia-Lopez continued to squirm and not comply with commands.

Deputy [redacted] stated after Deputy Jimenez was hit in the face it took him approximately a minute to re-engage and help deal with Suspect Garcia-Lopez. Once Deputy Jimenez was back in the struggle, Deputy Jimenez grabbed ahold of Suspect Garcia-Lopez's left arm and was able to control it and place it behind the suspect's back. Deputy [redacted] controlled the suspect's right arm and the suspect was eventually handcuffed without further incident. Deputy [redacted] stated the altercation lasted approximately two to three minutes.

Deputy [redacted] remembered seeing Deputy Lee after Suspect Garcia-Lopez was handcuffed. Deputy [redacted] then saw Suspect Garcia-Lopez spit in the direction of Deputy Lee and Deputy Jimenez. Deputy [redacted] once again held the suspect against the hood and tried to control his face to keep him from spitting. Deputy Jimenez retrieved a spit mask from his patrol vehicle and gave it to Deputy [redacted] to put on the suspect. Deputy [redacted] put the spit mask on Suspect Garcia-Lopez while Deputy Lee held him down.

Deputy [redacted] stated he did not think of using O.C. spray in this incident because the spray affects him far worse than any suspect. Deputy [redacted] did not have a Taser with him during this incident. Deputy [redacted] did not put out any radio traffic during the altercation because he felt it was important to gain control of the suspect before he hurt someone else.

Deputy [redacted] stated he did not interview Suspect Garcia-Lopez for his incident report because the suspect had a spit mask on and was being uncooperative. Deputy [redacted] notified Sergeant Braden of the force used in this incident.

SUSPECT STATEMENT:

Suspect Lucio Garcia-Lopez Booking #3908199, was interviewed on April 1, 2014, at Men's Central Jail. Garcia-Lopez stated he got off of work ([redacted]) at 0200 hours in the morning. He then met up with some friends at an after-hours bar and had two drinks. Suspect Garcia-Lopez did not remember the name or location of the bar.

Less than an hour later Suspect Garcia-Lopez left the bar and began to drink a bottle of wine a friend had given him. Suspect Garcia-Lopez walked to the bus station and did not remember any of the facts after that. Suspect Garcia-Lopez was asked what he did in-between the time he was at the bus station and the time the deputies contacted him at 0415 hours.

Suspect Garcia-Lopez stated he thought the bus drivers would not stop for him because he was drunk. Suspect Garcia-Lopez did not remember attacking the van, or assaulting Deputy Jimenez; however, Suspect Garcia-Lopez did remember the deputies grabbing his arm and then waking up in the hospital.